last day. There will be a vote, and we can't stop that vote—whether it be at 1 a.m. or in midafternoon. To me, that is no longer an issue. We have done everything we can.

But I say to my colleagues that I think what has been done to the dairy farmers in the Midwest is an injustice. I think it is an injustice in a piece of legislation that, in and of itself, doesn't represent all that much for America, even though I know everybody will be talking about how great this is. I am certainly going to vote against it.

I also say to my colleagues that I hope we will, next year, think about how we can reform the way we operate. On this, I hold the majority leader accountable—to the extent that I can hold him accountable. And I will figure out every way I can next year, when we come back, to keep raising this issue.

We didn't get a lot of these appropriations bills done. We had a lot of legislation that came to the floor. We weren't allowed to do amendments. Frankly, I don't know how anybody in here thinks we can be good legislators when we don't have the bills coming to the floor. We need to get them out here in the open and have debates that are introduced, have up-or-down votes, and then we move forward. And if we have to work from 9 in the morning until 9 at night, so be it. But instead, we don't do our work.

Those of us who believe the Senate floor is the place to fight for what we believe in and have the debates are not able to do so. Instead, we have this process where six, seven, eight people decide what is in and what is out, and we have this huge monstrosity called the ''omnibus'' bill that is presented to us, which none of us has read—or maybe two people have. But none of us has read this from cover to cover. I doubt whether there are more than two Senators who know everything that is in here.

I would like to raise the question, How can we be good legislators with this kind of process? We are not being good legislators. I am speaking for myself. I am not able to be an effective legislator representing Minnesota if we are going to continue making decisions in conference committees and rolling in six, seven, eight major pieces of legislation with no opportunity for me as a Senator from Minnesota to bring amendments to the floor. That was done on the dairy compact, and that is what has been done on a whole lot of other decisions. It is no way to legislate.

I contend that that is no way to legislate. I contend that this omnibus bill makes a mockery of the legislative process. I contend on the floor of the Senate today, not only because of what happened to dairy farmers in Minnesota but because of the whole way in which this decisionmaking process has worked, that this is unconscionable. I contend that this kind of decisionmaking process is going to lead to more and more disillusionment on the part of people in the country.

People hate the mix of money and politics. They don't like poison politics. They don't like all the hack-attack politics my colleagues, Senator REID and Senator DURBIN, were talking about earlier because they believe that is what is wrong. They don't like what, apparently, some of us relish. They don't like backroom deals, decisionmaking that is not open, accountable, and that people can understand and comprehend.

Now, my final point. I am not so sure that some of the major decisionmakers, given the sort of deck of cards they had to work with—I don't know that I want to point the finger at any one person. I don't think that is probably fair. I am making an argument about process, not about a particular Senator. Some of them who were involved in this probably did everything they could do from their point of view. They are very skillful. But I will tell you one thing. Minnesota dairy farmers came out on the short end of the stick.

I regret the fact that this has been done and stuck into a conference report and was not done in an honest way, with open debate on the floor of the Senate, where we could have amendments. I also regret a legislative process where we didn't get to the bills on time, didn't have the debate on the floor, didn't have amendments we could introduce, didn't have the up-or-down votes, and it all got done by a few people, really, basically, with very little opportunity for public scrutiny, for democratic accountability.

I am going to vote ''no'' on this bill. I think I would vote ''no'' just on the issue of the way in which these decisions have been made because, again, I think we have made a mockery of what should be the legislative process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

UNANIMOUS CONSENT AGREEMENT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senator from Iowa, Mr. GRASSLEY, be recognized for approximately 10 minutes, if that is sufficient for the Senator.

Mr. GRASSLEY. I think it is.

Ms. COLLINS. I also ask unanimous consent that he be followed by the Senator from New York, Mr. SCHUMER, for not to exceed 5 minutes, and that I be recognized to transact legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa is recognized.

CHINA'S ACCESSION TO THE WORLD TRADE ORGANIZATION

Mr. GRASSLEY. Mr. President, in my capacity as chairman of the International Trade Subcommittee and getting ready for the Seattle Round, as well as considering China's accession to the World Trade Organization, I want to speak on Congress' power and our responsibility on the whole issue of international trade.

It is very clear in the Constitution that the Congress of the United States has the power, as one of the specifically delineated powers of Congress in the first article, to regulate interstate and foreign commerce. So the United States has just concluded a bilateral market access agreement with China. It should pave the way for China's accession to the World Trade Organization.

From what I have heard about this agreement—and, of course, we only have summaries at this point—it is an exceptionally good one for the United States and especially for American agriculture. I said, when the agreement fell through on April 8, I was fearful that a lot of ground would be lost. I don't think, from what I know, there has been any ground lost with the renegotiation. Charlene Barshefsky, our U.S. Trade Representative, conducted herself in a highly professional way and negotiated what appears to be an excellent agreement, and she did it under very difficult circumstances.

Now that the negotiations are finished, the job of the Senate and the House of Representatives becomes even more important. Our constitutional responsibility requires that the Senate and the House carefully review the agreement in its entirety, and the extent to which there are changes in law, they obviously have to pass the Congress, as any law would, and be signed by the President.

It is a responsibility every Senator takes very seriously because it is assigned to us by the Constitution. And because the Congress has a unique and close relationship with the American people, we must also keep faith with the people who sent us here to fulfill our constitutional responsibilities.

That is why it is critical we know everything that was negotiated.

I want to put emphasis upon that statement.

That is why it is important that the Congress of the United States know everything that was negotiated—everything, every issue, every detail, and every interpretation—so there can be no surprises, no private exchanges of letters, no private understandings about the key meanings of key phrases in the agreement, and no reservations whatsoever that are kept just between negotiators.

In other words, if Congress is going to legislate these agreements and secure these agreements, Congress has a

responsibility not only to make sure everything is on the table but to make sure the administration puts everything on the table.

Let me be clear about this. There is an absolute requirement of disclosure. Congress must see everything that is negotiated. And it has not always been this way, or I wouldn't be to the floor asking my colleagues to consider this, and with an admonition to the administration to make sure everything is given to Congress. When congressional approval is required, only what we see and vote on should become the law. Nothing should become the law of the land that is secretly negotiated and that isn't submitted to Congress for our approval.

Because there have been problems in this area in the past, Senator CONRAD of North Dakota and I have introduced legislation. This legislation is contained in the African trade bill. That trade bill was recently approved by the Senate. I will work very hard to see that this provision is part of the final bill approved by conference committee before the African trade bill is sent to the President.

Why are we where we are today with what Senator CONRAD and I have tried to accomplish, and did accomplish, as far as the Senate is concerned? Unfortunately, past administrations have not complied with their basic principles of complete disclosure and complete openness in their submittal of agreements to the Congress. A prior administration—it happened to be a Republican administration—violated the spirit, if not the letter, of this absolute good faith requirement of complete disclosure. This incident occurred in 1988. I want to give background on it because it was in regard to the Canadian Free Trade Agreement which became part of the North American Free Trade Agreement.

At that time, there was disagreement about the meaning of a term relating to Canada's price support system for wheat.

If anybody has heard the articulate speaking of the Senator from North Dakota on this issue—Senator CONRAD has talked about this many times, about wheat unfairly coming into the northern United States in violation of the free trade agreement but somehow being legal because of these side agreements that Congress didn't know about in the past.

There was a disagreement about the meaning of a term relating to Canada's price support system for wheat. The issue dealt with whether the Canadians were manipulating their price support system by unfairly defining a very key term in their favor, thus allowing them to sell wheat below cost in the United States market in violation of the clear meaning of a provision of the Canadian-United States free trade agreement.

The United States insisted that Canada was, indeed, selling wheat below cost in violation of the agreement. Canada denied the violation. The dispute was even taken to a binational panel for resolution.

In the argument before the binational panel for dispute resolution, the Canadian side at that time produced a letter from a few years back from the United States Trade Representative to the Canadians supporting the Canadian interpretation of the provision and very devastating to the case brought by the United States.

The question now is whether the U.S. Trade Representative's letter, or his interpretation of this controversial and important provision, was properly reported to the Congress before we considered that agreement, voted on it, and it became the law of the land. Some might argue that it was disclosed. Others say it was not.

In my view, because the issue of Canada's price support system for wheat was such a politically sensitive issue in the context of the NAFTA agreement, there should not have been any room for doubt what the administration's interpretation was. The disclosure of the administration's interpretation of this key language should have been fully and completely disclosed—not just in the fine print or in response to questions raised by a Senator at a hearing.

When important issues of foreign commerce are at stake and Congress is exercising its constitutional power of regulating foreign commerce, we in the Congress should not have to guess what the answer is or even have to figure out how to ask the right questions in the hearing at the right time and in the right way to get an honest answer, to have open disclosure of what our agreements are and what the results of the negotiation are.

This incident on the wheat and the Canadian Free Trade Agreement had unfortunate and profound consequences. It led some in Congress to believe they could not trust our negotiators. Some of us believed we weren't dealt with fairly. The American wheat farmer has been harmed as a result of it.

Now, I want to say I have the highest regard for our negotiators, especially for Ambassador Barshefsky. She has done a remarkable job. She has my complete trust. So this is not about Ambassador Barshefsky. It is not about any one of our negotiators. Nor is this a partisan concern. The incident that sparked my concern occurred during a Republican administration. I am concerned about one simple thing. The principle of openness and full disclosure to Congress.

This simple, basic principle applies not just to the agreement with China. In about ten days, the United States will help launch a new round of global trade negotiations in Seattle. This new round of trade liberalization talks will cover agriculture, services, and other key trade issues. Many of these issues are sensitive, and even controversial.

We must be confident that we will see everything that is negotiated in the new round before it can become law. The legislation Senator CONRAD and I wrote that is part of the Africa trade bill requires full disclosure to Congress of all agreements or understandings with a foreign government relating to agricultural trade negotiations—what we refer to here as agricultural trade negotiations, objectives, and consultation.

Anyway, our provision says that any such agreement or understanding that is not disclosed to Congress before legislation implementing a trade agreement is introduced in the Congress shall not become law. In other words, if Congress doesn't know about the agreement, it should not become law. That is very simple. It is very clear. It is a restatement of the principle of full disclosure. It is consistent with Congress' constitutional responsibility for foreign commerce, but I understand the administration opposes this commonsense provision. They want it removed from the bill.

Mr. President, it says in the Conrad-Grassley bill, no secret side deals. The Congress agreed that there should be fully submitted to Congress all of the provisions of any negotiations that must be approved by Congress. I don't know why the administration wants this language removed from the trade bill, but this is what they have sent to the conferees in the Congress of the United States. They list this section that says no secret side deals. They are suggesting we strike this subsection.

We cannot let this happen. I will do everything I can to make sure this physical disclosure provision becomes the law of the land when the House and Senate conferees finally consider the African trade bill. I believe our Government should live by the same standards we expect from farmers in my hometown of New Hartford, IA, or any businessman in Des Moines, IA. Tell us exactly what you mean. Show us everything in the agreement. Act in good faith.

I ask my colleagues to support this provision and vote for it when it comes back from the conference committee so we have physical disclosure of everything so Congress isn't asked to vote on something that is secret, that we don't know anything about. If we do that, we are violating our constitutional responsibility to the people of this country.

The PRESIDING OFFICER. Under the previous agreement the Senator from New York is recognized for 5 minutes.